

**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER BUREAU
PART 5 RULES OPERATIONAL GUIDANCE (POG # 4)**

Guidance No. 4

April 21, 2009

Title: Part 5 Rules Operational Guidance (POG #4) for battery sulfuric acid

I. Purpose

- A. The purpose of Part 5 Rules Operational Guidance #4 is to provide guidance for battery acid used indoors in compliance with the Part 5 rules [hereinafter rules], Spillage of Oil and Polluting Materials, R 324.2001 - 324.2009, promulgated under Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

II. Background

- A. The Water Bureau of the Michigan Department of Environmental Quality is responsible for implementing the Part 5 rules.
- B. Industry and commercial facilities [hereinafter 'industry'] use battery operated fork-lift trucks and other battery operated equipment [hereinafter 'equipment'] which contain sulfuric acid.
- C. Sulfuric acid is a polluting material listed in Table One of the rules.
- D. Industry may have sulfuric acid for equipment which exceeds the threshold management quantity of 440 pounds (outdoor) and 2,200 pounds (indoor).
- E. Industry may have sulfuric acid for equipment in containers, i.e. cells for batteries that contain less than 10 gallons or 100 pounds of sulfuric acid.
- F. Industry equipment is in a use area.
- G. Industry equipment is diffuse throughout the facility as opposed to discrete storage.

III. Guidance

- A. For the purposes of clarifying the use of equipment that contain sulfuric acid batteries, the Water Bureau considers the following:
 - 1. Container: Equipment that includes sulfuric acid in containers that meet the requirement of Rule 3. Conditional Exemptions. (1) (a) by not exceeding the 10 gallons or 100 pounds, and, where the sulfuric acid container, often referred to

as a cell, is not by hydraulically connected to other cells, is exempt from the Part 5 rules.

a. Rule 3. Conditional Exemptions (1) (a): Any facility that manages polluting materials in excess of threshold quantities is exempt from these rules if the polluting materials are managed in containers that do not individually exceed 10 gallons or 100 pounds in capacity and that are located indoors at a facility that is designed, constructed, maintained, and operated to prevent any spilled polluting material from being released directly or indirectly to the surface or groundwaters of the state.

Approved

A handwritten signature in black ink, appearing to read "Robert F. Babcock". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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